

Application No. 10/759,061
Amendment dated March 28, 2006
Reply to Office Action of December 29, 2005

- R E M A R K S / A R G U M E N T S -

Claims 1 and 3 to 13 remain in the application.

The Applicant confirms the election of claims 1 to 13.

Paragraphs [00024] and [00028] have been amended to correct the errors noted by the Examiner.

Claim 8 was objected to under Section 35 U.S.C. 112, second paragraph.

The Applicant has amended claim 8 to better define the present invention. The amendments clarify, but do not narrow the scope of claim 8.

Claims 1 to 9 stand rejected under 35 U.S.C. 102(b) as being anticipated by Mattick (U.S. Patent No. 3,420,484).

Reconsideration is expected on the following grounds.

Mattick does not teach each and every feature of the present invention.

Mattick does not disclose any industrial platform assembly. Mattick discloses nothing more than a table. It is respectfully submitted that industrial platforms and knock-down tables are very different. Tables do not have any floor or support surface on which a person can stand. Tables are not conceived to support the same load as industrial platforms. Tables are not designed to be connected to a stair or adapted to receive hand rails. A table cannot be construed as being an industrial platform assembly. One cannot read the prior art differently from a man skilled in the art. "Table" is a term of art which has a well-known meaning and cannot be misconstrued to, for instance, cover an industrial platform. Unlike tables, platforms must retain structural integrity under "severe" loading conditions. Industrial platforms are used to support personnel and heavy equipment. In addition to the vertical loads, a platform must be able to withstand important lateral loads. Tables are not designed to support these types of loads. The need to support lateral loads drastically changes the design criteria.

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In view of the foregoing, it is believed that no realistic parallel can be drawn between a table and a platform.

Notwithstanding the fact that tables and platforms are not of analogous conception, it is respectfully submitted that Mattick's frame components 6 and 10 are welded together. Accordingly, Mattick does not disclose a weldless frame.

According to the Examiner, claim 1 recites a product by process limitation (cold-formed), which is not expected to impart distinctive structural characteristics to the device. It is respectfully submitted that cold-formed products, including folded steel sheets, are known to be light-weight, as compared to hot-rolled I-beams and/or H-beams, but of less load-bearing capacities. A man skilled in the art would readily recognize that there are important structural characterizing differences between a folded steel sheet beam and a hot-rolled I-beam. A man skilled in the art would readily differentiate a steel sheet member from a hot rolled member. These limitations are therefore believed to structurally define the claimed invention and should, thus, be given patentable weight.

In view of the foregoing, independent claim 1 is believed clearly patentable over Mattick.

Claim 2 has been cancelled.

Dependent claims 3 to 13 are patentable, at least in view of their dependency on claim 1.

Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Mattick in view of Shelton et al. (U.S. Patent No. 2,238,348).

Claims 11 to 13 stand rejected under 35 U.S.C. 102(a) as being unpatentable over Mattick in view of Shelton and further in view of Diamond (U.S. Patent No. 2,733,897).

It is respectfully submitted that there is no motivation to mount a safety guard or hand rail about the perimeter of a table.

Furthermore, claims 10 to 13 are believed patentable for the reasons set forth above with respect to independent claim 1.

Claim 11 has been slightly amended in order to correct typographical errors.

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In view of the foregoing, the application is believed to be in condition for allowance and an early action to this effect would be much appreciated.

Should there be any questions concerning this amendment or the application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application can be expedited.

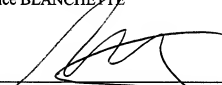
Respectfully submitted,

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By:

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Date



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